

Telecommunications Relay Services, Video Relay Services and Toll Free
Telephone Number Allocation

Federal Communications Commission

Notice of Proposed Rule Making – Comments due December 2, 2010

WC Docket No. 10-191

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 - c. Evaluate if solutions identified by the FTN-005 White Paper also resolve the needs identified within the NPRM

Addendum

- A. Professional summary of Jay Carpenter
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Summary:

Toll free telephone number subscribership is dependent upon context. At the level of a call recipient, once a toll free telephone number is given out to family, friends and business contacts, a call recipient generally considers him or herself to be the subscriber or the subscriber equivalent of the toll free telephone number. A service provider might also rightfully claim subscribership for the same toll free telephone number. Conflicts can and do arise in these situations. The issues that have surfaced in the iTRS/VRS realm are symptomatic of a general need within the toll free telephone number industry.

The North American Numbering Council (NANC) Future of Numbering Working Group (Fun WG) has produced a White Paper that is relevant to the questions posed by the Notice of Proposed Rulemaking (NPRM) and Request for Comments related to toll free telephone number assignment for Internet-based Telecommunications Relay Service (iTRS), Video Relay Service (VRS) and IP Relay. This proceeding is classified under WC Docket No. 10-191. The comments contained in this response address the issues raised in the NPRM. Comments are due by December 2, 2010.

Because the issues raised within the iTRS/VRS NPRM parallel the issues posed to the toll free telephone number industry at large and contained within the pending FoN WG FTN-005 White Paper, the 1-800-American Free Trade Association (1-800-AFTA) recommends that the Commission postpone a ruling on the proposed allocation methods until the industry at large has vetted the content of the pending FTN-005 White Paper. The target date for industry comments to be concluded is tentatively suggested to be January 21, 2011.

We therefore respectfully request a delay of six months for a ruling in the matter of toll free telephone number allocation methods for iTRS/VRS providers and users.

Description of Considerations:

Existence of Definitive Subscribership
The context of subscribership

Context: While subscribership might exist within the realm of a provider's database, it might not clearly exist at the next level above the level of the internal provider's database. For example, within the NPRM, the following language is used:

"When a hearing user dialed the iTRS user's toll free number, the voice call was routed by the PSTN to the provider that had subscribed to the number and assigned it to the user." (NPRM Section II. Background, 5. Internet-based TRS Order)

Within this description it is unclear and conflicting as to whom would be the definitive toll free telephone number subscriber. Different observers would have different views of who holds subscribership to the toll free telephone number dialed. In addition, it is conceivable that the same toll free telephone number could serve more than one call recipient. Within the toll free telephone number industry at large, multiple call recipients can be served using one toll free number in a variety of ways. One such arrangement is called shared-usage.

As the context of subscribership moves from the specific to the general, the definitive identification of the subscriber for a given toll free telephone number becomes clouded. The FTN-005 White Paper addresses in detail the issues related to clouded subscribership at various system-wide levels (see section 3 Description of Issues, 3.1 Subscriber Identity and Control).

Dispute Resolution

At this time, no industry standards exist for settling disputes that might arise from multiple parties claiming subscribership to a specific toll free telephone number. Disputes must be settled either informally between Responsible Organizations (RespOrgs), by filing a claim with the FCC or by seeking remedy in the courts. (See section 2.6 Toll Free Portability, final paragraph)

iTRS/VRS is Emblematic

iTRS/VRS toll free is an example of the vexing problem of subscribership. Reversal of prior order to return toll free numbers is an illustration of the inherent numbering problems that extend beyond the iTRS/VRS realm. The problems that have surfaced in this inquiry have surfaced internationally as well.

Transfer of Subscribership:

First Come, First Serve

First Come, First Serve (FCFS) is the method of allocation and return to the spare pool that governs toll free telephone numbers. This allocation method directs potential subscribers of toll free telephone numbers to look to the spare pool for their choice of specific numbers. In addition, once a subscriber is finished with toll free telephone number usage for a specific number, the FCFS rules require the subscriber to return the number to the spare pool so others can have a FCFS chance at gaining subscribership to the specific toll free telephone number. Directed transfers to another subscriber without giving all potential subscribers a chance at obtaining subscribership to a specific toll free telephone number is prohibited under current rules. The NPRM proposal to have providers transfer subscribership to iTRS/VRS users could be counter to the FCFS rules. In addition, if more than one potential iTRS/VRS user might be interested in

subscribing to a particular number, a directed transfer might be considered unfair to the potential user that does not win subscribership. Also, there could conceivably be potential subscribers outside the iTRS/VRS community that could be interested in having a chance at future subscribership for a toll free number that had been used for this purpose in the past. Circumventing the FCFS rules by directed transfer from providers to users might be counter to First Come, First Serve allocation rules. Item 84 in the NPRM might be in error relative to “Federal Rules That May Duplicate, Overlap, or Conflict With the Proposed Rules”.

Incentive to Return Toll Free Telephone Numbers to the Spare Pool

As highlighted in the FTN-005 White Paper, there is little incentive for incumbent subscribers to return toll free telephone numbers to the spare pool (see section 3.3 Replenishing Toll Free Service Numbers). At this time, the 1-800 toll free code is completely assigned. This scarcity of the 1-800 code makes it all the more unlikely that the iTRS/VRS users or providers would have incentive to return these toll free numbers to the spare pool versus finding alternative uses for renewed deployment.

Database Synchronization:

iTRS and SMS/800 Synchronization and Resource Mapping

The NPRM calls for toll free telephone numbers to be terminate to the geographic telephone number associated with the iTRS/VRS user. This could pose a problem of synchronization between two separate databases. In addition, the considerations listed above regarding definitive identification of the iTRS/VRS user/subscriber could also be problematic if there is any dispute or uncertainty.

Internet Protocol (IP) address synchronization of toll free telephone numbers is also called for in the NPRM. This could be problematic for all the reasons listed above and because there are no IP addresses currently associated with toll free telephone numbers. Telephone Number Mapping (ENUM) databases can accommodate a variety of IP addresses via ENUM Naming Authority Pointers (NAPTRs). This further complicates the provisioning problems when the definitive identity of the subscriber is clouded.

Public Vetting

The FTN-005 White Paper proposes the toll free industry discuss and consider ways in which the registration of toll free telephone number like addresses could be signaled or displayed to the public at large. This “public view” could be valuable from several respects for insuring the toll free address is being used by the undisputed subscriber (see section 3.4 Warehousing Toll Free Service Numbers).

Future Applications of Toll Free Numbering

Assuming toll free numbering based upon existing toll free telephone numbers evolve into the IP network from the Public Switched Telephone Network (PSTN), there could be Next Generation Network services that are unique and valuable to current subscribers of toll free PSTN numbers. Encouraging the return of toll free telephone numbers by incumbent subscribers could be lamented once new services such as multimedia services are associated with existing numbers.

Conclusion:

Because many of the issues posed by the NPRM parallel the issues about to be discussed by the toll free industry at large and by the NANC Future of Numbering Working Group, I respectfully request the Commission consider the following path forward:

- a. Delay a decision until the FTN-005 is vetted
- b. Delay action until the industry acts upon the FTN-005 White Paper
- c. Evaluate potential solutions identified by the FTN-005 White Paper and consider the potential for these solutions to resolve the needs identified within the NPRM

A delay for approximately six months or until July 1, 2011 should allow sufficient time for the toll free industry and interested stakeholders to discuss the pending issues detailed in the FTN-005 White Paper. This time period should also be adequate to include specific discussion of the iTRS/VRS provider and user community toll free telephone numbering issues identified in the Notice of Proposed Rule Making WC Docket No. 10-191.

Addendum

Professional Profile of Jay Carpenter

- SNAC Member
- FoN WG Member and Issue Champion for FTN-005
- ENUM Forum Member and Contributor
- CC1 ENUM LLC Participant and Technical Advisory Committee Contributor
- 1-800-AFTA President
- RespOrg
- Toll Free Shared-Usage Provider
- University of Southern California, MBA (honors)
- Arizona State University, B.S. in Business Administration (honors)

NANC Future of Numbering Working Group FTN-005 White Paper is available at:

<http://www.nanc-chair.org/docs/documents>

May 21, 2010 NANC Meeting

[May10 FoN Report](#)

[May14 White Paper on Toll Free Resources](#)